

**AGREEMENT BETWEEN THE STATE OF CALIFORNIA  
AND THE LOS COYOTES BAND OF CAHUILLA AND CUPENO INDIANS TO  
EXTEND THE DATES SET FORTH IN SUBDIVISIONS (c) AND (d) OF  
SECTION 14.2 OF THE TRIBAL-STATE COMPACT BETWEEN THE STATE  
OF CALIFORNIA AND THE LOS COYOTES BAND OF CAHUILLA AND  
CUPENO INDIANS**

**A. Description of the Parties and Statement of Purpose**

This Agreement is made and entered into by and between the State of California (“State”) and the Los Coyotes Band of Cahuilla and Cupeno Indians, a federally recognized Indian tribe (“Tribe”). The purpose of this Agreement is to extend the dates set forth in subdivisions (c) and (d) of section 14.2 of the Tribal-State Compact between the State and the Tribe.

**B. Effective Date**

The effective date of this Agreement is the date on which it is last executed by one of the parties.

**C. Facts Underlying the Agreement**

This Agreement is made with reference to the following facts:

1. The State and the Tribe entered into a Class III Gaming Tribal-State Compact on or about September 9, 2005 (“Compact”).
2. The Compact authorizes the Tribe, upon the occurrence of described contingencies, to operate specified Gaming Activities as defined therein on a 23 Acre Parcel of property located in the City of Barstow, California, as defined in the Compact.
3. Those contingencies include the acquisition by the United States in trust for the Tribe of the 23 Acre Parcel and a determination by the Secretary of the Interior pursuant to section 20(b)(1)(A) of the Indian Gaming Regulatory Act, 25

U.S.C. § 2701 et seq. (“IGRA”) that the 23 Acre Parcel is eligible for Class III Gaming.

4. Section 14.2 subdivision (d) of the Compact also provides that: “If the 23 Acre Parcel is not taken into trust for the Tribe and determined eligible for Class III Gaming pursuant to section 20(b)(1)(A) of IGRA prior to May 31, 2007, the Compact shall be deemed null and void unless the Tribe and the State agree in writing to extend the date.”

5. Section 14.2 subdivision (c) of the Compact further provides that: “If this Compact does not take effect prior to August 31, 2007, it shall be deemed null and void unless the Tribe and the State agree in writing to extend the date.”

6. It is now apparent that prior to May 31, 2007, the United States will not be able to acquire the 23 Acre Parcel in trust for the Tribe and the Secretary of the Interior will not be able to make a determination that said parcel is eligible for Class III Gaming pursuant to section 20(b)(1)(A) of IGRA.

7. Further, the California Legislature will remain in regular session and be able to ratify the Compact through September 14, 2007.

8. It will serve neither the State’s nor the Tribe’s interests for the Compact to become null and void prior to the end of the California Legislature’s regular session in 2007.

**D. Terms of the Agreement**

9. The State and the Tribe, pursuant to the express provisions of subdivisions (c) and (d) of section 14.2 of the Compact, and in consideration of their mutual

intent that the Compact remain in full force and effect at least until September 17, 2007, hereby agree that:

- a. The date set forth in Compact section 14.2 subdivision (c) is hereby extended from August 31, 2007 to September 17, 2007.
- b. The date set forth in Compact section 14.2 subdivision (d) is hereby extended from May 31, 2007 to September 17, 2007.
- c. Nothing in this Agreement affects any other condition, right or duty in the Compact, each of which remains unchanged and in full force and effect as provided in the Compact.

IN WITNESS WHEREOF, the undersigned sign this Agreement on behalf of the State of California and the Los Coyotes Band of Cahuilla and Cupeno Indians.

DATED:

STATE OF CALIFORNIA

By Arnold Schwarzenegger  
Governor of the State of California

DATED:

LOS COYOTES BAND OF  
CAHUILLA AND CUPENO  
INDIANS

By Catherine Siva Saubel  
Chairperson of the Los Coyotes  
Band of Cahuilla and Cupeno  
Indians